

REMARKS

The office action together with the references cited therein have been carefully considered in connection with the application and amendments have been made to several of the claims in an effort to place the application in condition for immediate allowance.

While the examiner has rejected claims 1-4, 6-7 and 9-12 under 35 U.S.C. 103(a) as being unpatentable over Maier in view of Anderson, the examiner also indicated that claims 5, 8, 13 and 14 contain allowable subject matter which would be allowed if rewritten in independent form. The applicant, by and through the undersigned attorney, has amended claim 5 to place it in independent form and has amended claim 11 to direct this claim to be a right angle saw attachment.

Applicant believes that claim 1 is not taught or suggested by Maier or Anderson, or the other references of record, applied singularly or in combination with one another. The examiner states that Maier shows an *attachment* for a power driven wrench. It is believed that this is a mischaracterization of what is disclosed in Maier inasmuch as it is not an attachment but is in fact a power driven wrench. It is clearly a tool as opposed to an attachment for a tool and it is driven by being connected to a source of positive air pressure.

Anderson is similarly a pneumatic power driven tool that is driven by a source of positive air pressure and it too is a tool rather than an attachment for a tool. The examiner states that Anderson shows a generator and light for a power tool similar to that of Maier and that "obviously one of ordinary skill in the art would add such a light to the device of Maier." It is believed that this statement is largely irrelevant for the reason that adding a light to Maier still does not teach or suggest a right angle *attachment* for a power hand tool as is claimed. It is also a conclusory statement that is not supported by any reference to prior art and is therefore believed to be improper.

Neither Maier nor Anderson discloses an attachment for a power hand tool wherein the attachment has the structure as claimed. The examiner also states that

“lenses are old and such lighting would be obvious to use with such a device.” This is also not supported by any prior art and is also therefore improper. Similarly, the examiner states that driving a saw in place of a drill is old and would be obvious to add to the Maier device to increase its versatility. However, this is again a conclusory statement that is not supported by any prior art and the Maier patent specifically states that it is a wrench. The examiner also states that compression band mountings are old and would be a mechanical equivalent to the threads of Maier. This is another conclusory statement that is not supported by any reference to prior art and is therefore also improper.

What is clear from the examiner’s statements is that neither Maier or Anderson disclose an *attachment* for a power tool, which is what applicant claims in claim 1. Neither Maier nor Anderson teach or suggest a lens in the housing adjacent said light producing device for admitting light to the exterior of said housing toward a tool attached to said distal end. Neither Maier nor Anderson teach or suggest a housing having a mounting end and a distal end with the mounting end having a cylindrical opening sized to snugly fit on the nose end portion of the tool housing. Neither Maier nor Anderson teach or suggest a housing having an input shaft journaled in bushings and having an engaging recess at one end portion for engaging a drive shaft that is driven by the motor output shaft and an attached gear at the opposite end.

If prior art were cited for the various features that the examiner dismisses as “old”, such as the lenses for example, there would be a combination of three, four or more patents to meet these claims and such combinations are clearly the result of hindsight reconstruction for the reason that there is no motivation to make such a combination except for the examiner’s conclusory remarks that it would be obvious to one of ordinary skill to do so.

With regard to independent claim 11, it has been amended to be directed to a right angle *saw* attachment and comprises, *inter alia*, a housing having a mounting end and a distal end, with the mounting end having a cylindrical opening sized to snugly fit on the nose end portion of the tool enclosure and the distal end has a generally cylindrical

outer surface configured to receive a saw guard when a circular saw blade is attached to said attachment output shaft. It also has a lens in said distal end of said housing adjacent said light producing device for admitting light to the exterior of said housing toward said saw blade attached to said exposed end. It is submitted that Maier or Anderson fail to even remotely teach or suggest the right angle saw attachment of the type claimed. Even if it is assumed for the sake of argument that lenses are old, it is submitted that there is no prior art indicating the structure and relationship of the lens as set forth in this claim.

The dependent claims necessarily incorporate the features of the claims from which they depend in addition to defining other features and/or functionality and are therefore believed to be in condition for immediate allowance.

For the foregoing reasons, reconsideration and allowance of all claims presently pending in the application is respectfully requested.

Respectfully submitted,

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September 15, 2005

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